

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educators)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Certificate of Heather G. Bell)	
)	
Certificate # 200155)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 13, 2004. On March 15, 2004, the State Department of Education (Department) sent Ms. Heather G. Bell a notice of her right to a due process hearing regarding the possible suspension of her South Carolina educators certificate (certificate) by certified mail, return receipt requested, delivery restricted to addressee. Ms. Bell received the notice, as evidenced by the signed postal receipt. Ms. Bell did not request a hearing during the period allowed by law, and is now in default. After considering the evidence presented, which was undisputed by Ms. Bell, the State Board voted to suspend Ms. Bell's certificate for one year.

FINDINGS OF FACT

Ms. Bell holds a valid certificate, and has three years of teaching experience. Ms. Bell was under contract with Darlington County School District (District) for the 2003-2004 school year, as a speech therapist at Lamar Elementary. On February 10, 2004, the Director of Personnel of the District received a letter of resignation from Ms. Bell, effective February 27, 2004. In her letter Ms. Bell indicated that she was accepting a full-time position that was more lucrative for her with a nearby hospital. The Director of Personnel wrote Ms. Bell on February 12, 2004, and stated that she was reporting her breach of contract to the State Board.

On March 8, 2004, the Darlington County Board of Education voted to file a complaint with the State Board of Education for the suspension of Ms. Bell's certificate for breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for breach of contract. S.C. Code Ann. § 59-25-530 (1990). Unprofessional conduct includes breach of contract. S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is conclusive evidence supporting its decision to suspend Ms. Bell's certificate # 200155 for a period of one year from February 25, 2004 through February 24, 2005, on the ground of unprofessional conduct due to breach of contract. At the end of the suspension period if she wants her certificate reinstated, Ms. Bell may make a written request for reinstatement to the Office of Teacher Certification of the Department.

South Carolina State Board of Education

By: /S/ Mary E. Jones

Dr. Mary E. Jones

Chair

Columbia, South Carolina

April 13, 2004